

104TH CONGRESS  
2D SESSION

# H. R. 3276

To provide that, to receive their pay, Members of Congress are required to certify that they have performed their congressional duties, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 1996

Mr. RIGGS (for himself, Mrs. KELLY, Ms. LOFGREN, Mr. POSHARD, and Mr. NORWOOD) introduced the following bill; which was referred to the Committee on House Oversight

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## A BILL

To provide that, to receive their pay, Members of Congress are required to certify that they have performed their congressional duties, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Congressional Attend-  
5       ance Reform Act”.

1 **SEC. 2. CERTIFICATION BY MEMBERS OF CONGRESS RE-**  
 2 **QUIRED FOR RECEIPT OF PAY.**

3 (a) IN GENERAL.—Section 40 of the Revised Stat-  
 4 utes of the United States (2 U.S.C. 39) is amended to  
 5 read as follows:

6 **“SEC. 40. CERTIFICATION BY MEMBERS OF CONGRESS RE-**  
 7 **QUIRED FOR RECEIPT OF PAY.**

8 “(a) IN GENERAL.—As a condition of payment of  
 9 pay, each Member of Congress shall certify in writing,  
 10 with respect to each month, that the Member has per-  
 11 formed official congressional duties commensurate with  
 12 the pay of the Member for that month. The certification—

13 “(1) shall be made to the Secretary of the Sen-  
 14 ate or the Chief Administrative Officer of the House  
 15 of Representatives, as applicable; and

16 “(2) shall include a specification of any absence  
 17 of the Member on a day during which any vote is  
 18 taken in the House involved, together with the rea-  
 19 son for such absence.

20 “(b) PUBLICATION.—The Secretary of the Senate  
 21 and the Chief Administrative Officer of the House of Rep-  
 22 resentatives—

23 “(1) shall make the certifications referred to in  
 24 subsection (a) available for public inspection; and

25 “(2) include summaries of such certifications in  
 26 the periodic reports of expenditures published for the

1 Senate and the House of Representatives, respec-  
2 tively.

3 “(c) PENALTY.—Any Member of Congress who  
4 makes a false statement in a certification required by sub-  
5 section (a) shall be imprisoned not more than 5 years or  
6 fined in accordance with title 18, United States Code, or  
7 both.

8 “(d) DEDUCTIONS FROM PAY OF MEMBERS OF CON-  
9 GRESS FOR ABSENCE.—If a Member of Congress is absent  
10 from the Senate or the House of Representatives on a day  
11 during which any vote is taken in the House involved, the  
12 Secretary of the Senate or the Chief Administrative Offi-  
13 cer of the House of Representatives may not pay the Mem-  
14 ber for that day, unless the absence is for personal illness,  
15 family illness, or congressional business.

16 “(e) CIVIL ACTION.—Any citizen referred to in the  
17 next sentence may bring a civil action in an appropriate  
18 district court against the Secretary of the Senate or the  
19 Chief Administrative Officer of the House of Representa-  
20 tives, as applicable, for injunctive relief in the case of any  
21 payment in violation of this section. The citizens referred  
22 to in the preceding sentence are—

23 “(1) in the case of a Senator, a citizen of the  
24 State represented by the Senator; and

1           “(2) in the case of a Representative in, or a  
2       Delegate or Resident Commissioner to, the Con-  
3       gress, a citizen of the State in which the congres-  
4       sional district involved is located.

5       “(f) REQUIREMENTS OF THIS SECTION AS ADDI-  
6       TIONAL TO OTHER REQUIREMENTS.—The requirements  
7       of this section with respect to certification, deduction from  
8       pay, publication of information, penalties, and civil actions  
9       shall be in addition to any other requirement of law, regu-  
10      lation, or other authority.

11       “(g) DEFINITION.—As used in this section, the term  
12      ‘Member of Congress’ means a Senator or Representative  
13      in, or a Delegate or Resident Commissioner to, the Con-  
14      gress.”.

15       (b) CLERICAL AMENDMENT.—The table of sections  
16      for chapter 4 of title I of the Revised Statutes of the Unit-  
17      ed States is amended by striking out the item relating to  
18      section 40 and inserting in lieu thereof the following new  
19      item:

“40. Certification by Members of Congress required for receipt of pay.”.

